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UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

**Mindy Zommick,**

Plaintiff,

vs.

**Lewis Construction Company, LLC, et al.,**

Defendants.

No. 2:23-cv-00636-DJH

**PLAINTIFF'S REPORT ON GOOD  
FAITH SETTLEMENT  
DISCUSSIONS**

Pursuant to the Court's Scheduling Order (Doc. 20), the Parties were ordered to meet in person and engage in good faith settlement discussions no later than May 17, 2024. Doc. 20. Despite diligent efforts by Plaintiff's counsel to comply with the deadline, the Parties did not meet in person or otherwise have settlement discussions in advance of the Court's deadline.

On March 25, 2024, Plaintiff's counsel emailed Defendants' former counsel in an effort to coordinate good faith settlement discussions. He followed up again on April 2, April 9, and April 15 with no response other than Defendants' former counsels' statement that they were waiting to hear back from their client. On April 30, Defendants' former

1 counsel filed their Motion to Withdraw. Doc. 34. Plaintiff's counsel again followed up  
2 regarding the good faith settlement discussion deadline on May 1, 2024. In response,  
3 Defendants' former counsel sought a demand from Plaintiff. Plaintiff provided a demand  
4 to Defendants' former counsel, but no response was received. Defendants' Motions to  
5 Withdraw (Docs. 34, 36) were granted on May 1, 2024 and May 8, 2024, respectively.  
6 Docs. 35, 37.

8       Following the withdrawal of Defendants' counsel, Plaintiff's counsel made phone  
9 calls to four (4) separate phone numbers provided for the individual Defendants in this  
10 matter. None of the phone calls were answered or returned by the individual Defendants.  
11 As a result, and despite Plaintiff and his counsel's diligence in attempting to meet the  
12 Court's deadline for good faith settlement discussions, the Parties did not meet or  
13 otherwise engage in settlement discussions in advance of the Court's deadline.  
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17                   RESPECTFULLY SUBMITTED this 21<sup>st</sup> Day of May, 2024.

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19                   BENDAU & BENDAU PLLC

20                   /s/Christopher J. Bendau  
21                   Christopher J. Bendau  
22                   Attorney for Plaintiff  
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**Certificate of Service**

I certify that on this 21<sup>st</sup> Day of May, 2024, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to all parties and counsel of record by operation of the Court's electronic filing system. The Parties may access this filing through the Court system.

/s/ Christopher J. Bendau